

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

In re:

SCOTT VINCENT VAN DYKE,

Debtor.

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§
§
§

Chapter 11

Case No. 21-60052

**MICHAEL L. NOEL’S WITNESS AND EXHIBIT LIST
FOR DECEMBER 15, 2021 CONFIRMATION HEARING**

Michael L. Noel (“Noel”) by and through its undersigned counsel, hereby files this Witness and Exhibit List for the hearing on *Plan of Reorganization* filed by Scott Vincent Van Dyke [Docket No. 66].

WITNESSES

Noel may call any of the following as a witness at the hearing:

1. Scott Van Dyke (“Van Dyke”)
2. Mike Seely and/or Jill Hale, counsel for Noel in state court lawsuit filed against Van Dyke;
3. Any witness called or designated by any other party in interest; and
4. Any witness necessary to rebut the testimony of witnesses called or designated by any other party.

EXHIBITS

Noel may offer any one or more of the following exhibits at the hearing:

EXHIBIT	DESCRIPTION	M A R K E D	O F F E R E D	O B J E C T	A D M I T
1.	Order Granting Judgment Creditor Gerard J. Swonke's Motion to Contest the Affidavits of Net Worth and Motion for Injunction (signed on October 29, 2007 in Swonke Litigation State Court Lawsuit – Cause No. 2004-20712)				
2.	Findings of Fact and Conclusions of Law (signed on April 25, 2012 in Investors Litigation State Court Lawsuit – Cause No. 2004-23845-A)				
3.	Transcript of April 27, 2012 Hearing on Motion to Modify Judgement in Investors Litigation State Court Lawsuit – Cause No. 2004-23845-A				
4.	Email from Jett Williams (Van Dyke's lawyer) to Mike Seely (Michael Noel's lawyer) dated Jan. 14, 2020				
5.	Rule 11 Agreement between lawyers for Noel and Van Dyke dated March 17, 2020				
6.	Michael Noel v. Scott Van Dyke, et al. – Amended Agreed Final Judgment (signed on May 13, 2020)				
7.	Order Granting Partial Summary Judgment (signed on Feb. 10, 2021)				
8.	Amended Judgment in Builders West, Inc. v. Van Dyke (signed June 9, 2016)				
9.	Final Judgment in Case No. 4:19-cv-02894 In the United States District Court for the Southern District of Texas (signed by Judge Gilmore on November 10, 2021)				
10.	Anglo-Dutch Energy L.L.C. 2018 Tax Return				
11.	Anglo-Dutch Energy L.L.C. 2019 Tax Return				
12.	Anglo-Dutch Energy L.L.C. 2020 Tax Return				
	Any document or pleading filed in the above-captioned main cases				

	Any exhibit necessary for impeachment and/or rebuttal purposes				
	Any exhibit identified or offered by any other party				

Noel reserves the right to use additional demonstrative exhibits as they deem appropriate in connection with this hearing. Noel also reserves the right to call or to introduce one or more, or none, of the witnesses or exhibits listed above, and further reserves the right to supplement or amend this list at any time prior to the hearing.

Dated: December 13, 2021

Respectfully submitted,

FOLEY & LARDNER LLP

/s/ David S. Elder

David S. Elder

State Bar No. 06507700

1000 Louisiana Street, Suite 2000

Houston, Texas 77002-2099

Telephone: 713-276-5500

[Email: dselder@foley.com](mailto:dselder@foley.com)

ATTORNEYS FOR MICHAEL L. NOEL

CERTIFICATE OF SERVICE

I do hereby certify that on December 13, 2021, a true and correct copy of the foregoing Witness and Exhibit List was served via CM/ECF to all parties authorized to receive electronic notice in this case and/or by U.S. Mail, first class postage prepaid to the parties on the attached service list not receiving ECF notice.

/s/ David S. Elder

David S. Elder

Service List

Label Matrix for local noticing
0541-6
Case 21-60052
Southern District of Texas
Victoria
Mon Dec 13 10:52:22 CST 2021

Henke, Williams & Boll, LLP
2929 Allen Parkway, Suite 3900
Houston, TX 77019-7125

(p)PNC BANK RETAIL LENDING
P O BOX 94982
CLEVELAND OH 44101-4982

Builders West Inc.
8905 Friendship,
Houston, Texas 77080-4111

Chase Auto Finance
P.O. Box 78101
Phoenix, AZ 85062-8101

City of Houston Public Works
Attn: Effie Green
4200 Leeland
Houston, TX 77023-3016

Harris County et al.
c/o John P. Dillman
Linebarger Goggan Blair & Sampson LLP
P.O. Box 3064
Houston, TX 77253-3064

Johns & Hebert PLLC f/k/a Johns & Counsel PL
2028 East Ben White Boulevard, Suite 240
Austin, Texas 78741-6931

(p)PHOENIX FINANCIAL SERVICES LLC
PO BOX 361450
INDIANAPOLIS IN 46236-1450

Wells Fargo Bank N.A., d/b/a Wells Fargo Aut
PO Box 130000
Raleigh, NC 27605-1000

Forest Home Plantation, LLC
c/o Leann O. Moses
1100 Poydras Street
Suite 3100
New Orleans, LA 70163-1102

6
United States Bankruptcy Court
PO Box 61010
Houston, TX 77208-1010

Bank of America
4909 Savarese Circle FL1-908-01-50
Tampa, FL 33634-2413

Cadence/Superior Bank
Operations Center
Birmingham, AL 35203

(p)JPMORGAN CHASE BANK N A
BANKRUPTCY MAIL INTAKE TEAM
700 KANSAS LANE FLOOR 01
MONROE LA 71203-4774

(p)ECHELON ANALYTICS
ATTN MALINDA PISCIOITTA
1717 MAIN STREET
STE 3380
DALLAS TX 75201-7364

Henke, Williams & Boll, LLP
2929 Allen Parkway, Suite 3900
Houston, Texas 77019-7125

Libertas Funding LLC
382 Greenwich Ave, Ste 2
Greenwich, CT 06830-6501

(p)TMX FINANCE LLC FORMERLY TITLEMAX
15 BULL STREET
SUITE 200
SAVANNAH GA 31401-2686

Wells Fargo Dealer Services
Attn: Bankruptcy 1100 Corporate Center D
Raleigh, NC 27607-5066

Harris County, et al.
Linebarger Goggan Blair & Sampson LLP
c/o John P. Dillman
P.O. Box 3064
Houston, TX 77253-3064

AmeriCredit/GM Financial
Attn: Bankruptcy
PO Box 183853
Arlington, TX 76096-3853

Big Tex Storage
3480 Ella
Houston Texas 77018-6136

Central Portfolio Control
Attn: Bankruptcy Attn: Bankruptcy
10249 Yellow Circle Dr , Ste 200
Minnetonka, MN 55343-9111

Citibank
Citicorp Credit Svcs/Centralized Bk dept
PO Box 790034
St Louis, MO 63179-0034

Encore Bank
Nine Greenway Plaza
Houston, TX 77046-0905

JPMorgan Chase Bank, N.A.
s/b/m/t Chase Bank USA, N.A.
c/o Robertson, Anschutz & Schneid, P.L.
6409 Congress Avenue, Suite 100
Boca Raton, FL 33487-2853

Michael L. Noel
12222 Taylorcrest
Houston, TX 77024-4247

US Trustee
Office of the US Trustee
515 Rusk Ave
Ste 3516
Houston, TX 77002-2604

Brendon D Singh
Tran Singh, LLP
2502 La Branch Street
Houston, TX 77004-1028

Eva S. Engelhart, Chapter 7 Trustee
7700 San Felipe, Suite 550
Houston, TX 77063-1618

Melissa A Haselden
Haselden Farrow PLLC
Pennzoil Place
700 Milam
Suite 1300
Houston, TX 77002-2736

Reese Baker
950 Echo Lane, Suite 300
Houston, TX 77024-2824

Scott Vincent Van Dyke
1515 South Boulevard
Houston, TX 77006-6335

Susan Tran Adams
Tran Singh LLP
2502 La Branch Street
Houston, TX 77004-1028

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

BBVA Compass
Attn: Bankruptcy
PO Box 10566
Birmingham, AL 35296

Chase Card Services
Attn: Bankruptcy
PO Box 15298
Wilmington, DE 19850

Echelon Analytics, LLC
1717 Main St Ste 3380
Dallas, TX 75201

Phoenix Financial Services, LLC
Attn: Bankruptcy
PO Box 361450
Indianapolis,, IN 46236

Titlemax of Texas
15 Bull St Ste 200
Savannah, GA 31401-2686

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Anzar Settlement Funding Corp.

(u)Builders West, Inc.

(u)Cadence Bank, N.A.

(u)Littlemill Limited

(u)Philadelphia Indemnity Insurance Company

(u)Prosperity Settlement Funding, Inc.

(u)Andrea Lore, Individually and in Her Capac

(du)Anzar Settlement Funding Corp.

(u)Cadence Bank

(u)Eva S. Engelhart, in Capacity as Chapter 7

(du)Littlemill Limited

(du)Philadelphia Indemnity Insurance Company

(du)Prosperity Settlement Funding, Inc.

(u)Andrea Lore

(u)Michael L. Noel

End of Label Matrix

Mailable recipients 34

Bypassed recipients 15

Total 49

Anzar Settlement Funding Corp
c/o Julie Goodrich Harrison
Norton Rose Fulbright US LLP
1301 McKinney St, Ste 5100
Houston, TX 77010

Builders West, Inc.
c/o Dale R Mellencamp
BairHilty PC
14711 Pebble Bend Drive
Houston, TX 77068

Cadence Bank, NA
c/o Travis Clayton Badger
3400 Ave H, 2nd Fl
Rosenberg, TX 77471

Littlemill Limited
c/o Julie Goodrich Harrison
Norton Rose Fulbright US LLP
1301 McKinney St, Ste 5100
Houston, TX 77010

Andrea Lore
c/o Julie Goodrich Harrison
Norton Rose Fulbright US LLP
1301 McKinney St, Ste 5100
Houston, TX 77010

Philadelphia Indemnity Insurance
c/o Robert W. Miller
Manier & Herod, P.C.
1201 Demonbreun Street, Suite 900
Nashville, TN 37203

Prosperity Settlement Funding, Inc.
c/o Julie Goodrich Harrison
Norton Rose Fulbright US LLP
1301 McKinney St, Ste 5100
Houston, TX 77010

Ha Minh Nguyen
Jason Ruff
Office of the United States Trustee
515 Rusk St., Ste. 3516
Houston, TX 77002

Anglo-Dutch Energy, Anglo-Dutch (Tenge)
LLC, Anglo-Dutch Everest, LLC, Anglo-Dutch
(Neftenge), & Anglo-Dutch Energy Partners
IV, LLC
PO Box 22322
Houston, TX 77227

American Oil & Gas, LLC
PO Box 22322
Houston, TX 77227

Builders West, Inc.
c/o Rusty Hardin & Associates, LLP
1401 McKinney, Suite 2250
Houston, TX 77010

Trieagle Energy
PO Box 974655
Dallas, TX 75397

AT&T U-Verse
PO Box 5014
Carol Stream, IL 60197

City Of Houston – Water Department
PO Box 1560
Houston, TX 77251

CenterPoint Energy
Attn: Bankruptcy
PO Box 4981
Houston, TX 77210-4981

Propel Financial Services, LLC
PO Box 100350
San Antonio, TX 78201

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101

Littlemill Limited
c/o HMM
3200 Travis 4th Floor
Houston, TX 77006

Philadelphia Indemnity Insurance Company
c/o KF&D, PLLC
909 18th Street
Plano, TX 75074